



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Jeff Engstrom, AICP, Planner II

DATE: January 29, 2016

SUBJECT: CCZBA-819-AT-15: A request by the Champaign County Zoning Administrator to Amend Sections 5.2, 4.2.1, and 6.1.3 of the Champaign County Zoning Ordinance to allow “Parking Garage or Lot” as a Special Use in the CR District subject to certain Special Use Conditions.

Introduction

The Champaign County Zoning Administrator is requesting a text amendment to the Champaign County Zoning Ordinance in Champaign County Case No. CCZBA-819-AT-15 to add “Parking Garage or Lot” as a Special Use in the CR, Conservation-Recreation zoning district, under limited circumstances. This would allow for continued use of parking by Carle Hospital at the Champaign County Fairgrounds adjacent to Urbana, as well as future expansion of that parking.

The proposed text amendment is of interest to the City of Urbana to the extent that it will affect zoning and land use development decisions within the City’s one-and-one-half mile extra-territorial jurisdictional (ETJ) area. The City has subdivision and land development jurisdiction within the ETJ area, while the County holds zoning jurisdiction in this area. It is important that there be consistency between these two jurisdictions where certain regulations may overlap. Since development within this area may abut development within the corporate limits of the City or may eventually be annexed into the City’s corporate limits, some level of consistency in zoning regulations is also desirable. Land uses in the County affect the City of Urbana in several ways, including:

- Land uses in Champaign County can potentially conflict with adjacent land uses in the City of Urbana;
- Unincorporated portions of Champaign County adjacent to the City of Urbana will likely be annexed into the City at some point in the future. Existing land uses would also be incorporated as part of annexation;
- In addition to land uses, development patterns of areas annexed into the City of Urbana will affect our ability to grow according to our shared vision provided in the 2005 Comprehensive Plan.

For these reasons, the City should examine the proposed text amendment to the Champaign County Zoning Ordinance to ensure compatibility with existing City ordinances. It is the Plan Commission's responsibility to review the proposed amendment to determine what impact it may have on the City, and to recommend to City Council whether or not to protest the proposed text amendment. Under state law, a municipal protest of the proposed amendment would require three-quarters super majority of affirmative votes for approval of the request at the County Board; otherwise, a simple majority would be required.

Proposed Amendment

The County Zoning Administrator is proposing to add "Parking Garage or Lot" as a special use in the County CR district, along with standard conditions as follows. The full Champaign County Zoning Board of Appeals memorandum is attached as Exhibit C.

The proposed amendment would amend three sections of the County Zoning Ordinance. Section 5.2 of the County Zoning Ordinance is the Table of Authorized Principal Uses, and lists which uses are allowed in which district, and whether they are allowed by right, or with a Special Use Permit. "Parking Garage or Lot" would be added as a special use, but limited to the existing Fairgrounds. Section 4.2.1.C limits properties to one principal use, and would list parking at the Fairgrounds as an exception to this rule. Section 6.1.3 lists the proposed standard conditions for special uses, including "Fairground" and "Parking Garage or Lot".

Part A:

In Section 6.1.3 revise the standard conditions for "Fairground" by adding the following special provision (standard condition):

Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, wherever possible, shall preserve existing habitat, enhance degraded habitat, and restore habitat.

Part B:

1. In Section 4.2.1 C. add "PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2"

2. In Section 5.2, add "PARKING GARAGE or LOT" as a Special Use Permit in the CR District and add a footnote stating that "PARKING LOT and related passenger waiting buildings may be authorized in the CR District by SPECIAL USE Permit only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds provided that the Public Fairgrounds were an established use at the subject location on

October 10, 1973, and provided that a Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void and subject to the standard conditions in Section 6.1.3."

3. In Section 6.1.3 add as a Special Use "PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR DISTRICT" and require no minimum fencing; require the minimum LOT AREA, Width, Maximum HEIGHT, and Required Yards to be the same as in the CR Zoning District; and add the following special provisions (standard conditions):

1. All or part of the parking area(s) may be used for parking not otherwise related to the Fairground and non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings.

2. Traffic impacts shall be considered.

Discussion

The Champaign County Fairgrounds Association owns the 53-acre tract on the northeast corner of Fairview Avenue and Coler Avenue. The County Fair has been at this location for several decades. This parcel has a 9.3-acre parking lot that is used for visitors during the County Fair, as shown in Exhibit A. During other times of the year this parking lot is used for various other events such as the Car-X Crazy K and agricultural shows which take place at the fairgrounds or Crystal Lake Park. When there are no events, Carle Hospital employees park at this location. The lot contains about 1,100 spaces.

The hospital runs shuttle buses from the Fairgrounds parking lot to various points on the hospital campus. There are four bus shelters in the Fairgrounds parking lot which the Champaign County Zoning Administrator considers to be "additional principal structures". These shelters are not permitted under the current County Zoning Ordinance. The proposed amendment will allow for Carle Hospital to apply for a special use permit to allow the existing shelters and parking areas for a use other than the County Fair. The proposed amendment would also allow for expansion of the parking lot to add about 200 new spaces and to incorporate a storm water detention basin. The additional parking would be located north of the Coler Avenue entrance, and the basin would be southeast of the existing parking lot. Exhibit A shows the location of the proposed expansion, and Exhibit B shows the preliminary plans for the proposed parking lot and storm water detention basin.

The proposed amendment would only apply in the County CR District on a lot with a Public Fairgrounds, provided that the Public Fairgrounds were an established use on the lot in 1973 and that a Public Fair continues to be held on the lot. This means that there is only one location in Champaign County where this amendment applies: the current County Fairgrounds. If the County Fair were to be relocated, the special use for principal use parking would become void.

The proposed amendment contains language that requires water quality controls and takes traffic impacts into account. Any potential expansion of the parking lot will need to be designed with storm water quality in mind, and at a minimum must meet federal and state water quality standards. Downstream flows must be protected, and degraded habitats should be enhanced and restored. Currently, water from the Fairgrounds parking lot flows into storm sewer inlets that take the water directly into Crystal Lake. The proposed expansion of the Fairgrounds parking would redirect storm water into a detention basin, where pollutants can settle out of the water and the discharge rate can be controlled.

Urbana 2005 Comprehensive Plan

By State law, the City has the ability to review zoning decisions within its extra-territorial jurisdiction area for consistency with the City's comprehensive plan. Champaign County's proposed Zoning Ordinance text amendment should therefore be reviewed for consistency with the City of Urbana's 2005 Comprehensive Plan. Specifically, Urbana's comprehensive plan includes the following pertinent goals and objectives:

Goal 6.0 Preserve natural resources (including air, water, and land) and environmentally sensitive areas in the community.

Objective 6.1 Protect groundwater and surface water sources from flood and storm-related pollution.

Goal 17.0 Minimize incompatible land uses.

Objective 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.

Objective 17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

Goal 21.0 Identify and address issues created by overlapping jurisdictions in the one-and-one-half mile Extraterritorial Jurisdictional area (ETJ).

Objective 21.1 Coordinate with Champaign County on issues of zoning and subdivision in the ETJ.

Objective 21.2 Work with other units of government to resolve issues of urban development in unincorporated areas.

The proposed text amendment is generally consistent with these goals and objectives. It provides for protection of storm water and enhances the quality of water flowing from the site into Crystal Lake. It would also explicitly allow the County to take into account traffic impacts on adjacent residential areas located inside the City of Urbana, thus minimizing concerns of land use incompatibilities.

Zoning Impacts

The Champaign County Zoning Administrator is proposing this text amendment in order to bring the Fairgrounds parking lot and bus shelters into compliance with the County Zoning Ordinance. The County Zoning Administrator originally proposed a text amendment that would have allowed for “Hospital” as a special use in the CR district, as Carle Hospital is using the Fairgrounds parking as a second principal use. City staff worked with the County to adjust the proposed amendment to instead allow “Parking Lot or Garage”. This will allow not only Carle, but other entities such as the Urbana Park District to use parking at the Fairgrounds for periodic events. City staff spoke with the Park District and found that they have used parking at the Fairgrounds in the past and would like the option to use that parking again in the future if needed for events at Crystal Lake Park.

The practical impact of the proposed ordinance is that future additional parking or bus shelters will be reviewed subject to approval by the Champaign County Board as a Special Use Permit. The Champaign County Fairgrounds Association is planning on expanding the parking lot to the north and adding an additional bus shelter. City staff has reviewed the early draft of this expansion. If the proposed text amendment is adopted, and the expansion proposal goes forward, City staff would review the final plans and provide comments to the County. The City of Urbana may comment on Special Use Permit applications before the County Board, but does not have the ability to submit a protest as is the case with county rezonings and text amendments. The City will, however, be able to comment on concerns such as entrance locations, screening, and storm water quality.

Summary of Staff Findings

1. The Champaign County Zoning Administrator is proposing a text amendment to Sections 6.1.3, 4.2.1, and 5.2 of the Champaign County Zoning Ordinance to allow “parking garage or lot” as a Special Use in the CR district only at the current County Fairgrounds location.
2. The proposed amendment would add standard conditions for parking lots in a Fairground to lessen the impact on adjacent residents and on storm water quality.
3. The proposed amendment would allow for a Special Use Permit application for continued use of the parking and bus shelters by Carle Hospital at the County Fairgrounds, as well as a proposed expansion of the parking area.
4. The proposed zoning ordinance text amendment is generally consistent with the goals and objectives of the Urbana 2005 Comprehensive Plan.
5. The proposed zoning ordinance text amendment would not pose a significant detriment to the City of Urbana or to the extra-territorial jurisdiction of the City of Urbana, as it provides an

additional level of review and a chance for the City to comment on proposed development at the Fairgrounds.

Options

The Plan Commission has the following options for recommendations to the City Council regarding proposed text amendments in CCZBA Case No. 819-AT-15:

1. Recommend to defeat a resolution of protest; or
2. Recommend to defeat a resolution of protest contingent upon some specific revision(s) to the proposed text amendments; or
3. Recommend to adopt a resolution of protest.




Staff Recommendation

Based on the findings above, Staff recommends that the Plan Commission forward this case to the City Council with a recommendation to **DEFEAT a resolution of protest** for the proposed County Zoning Ordinance text amendment.

Attachments: Exhibit A: Aerial Map of Champaign County Fairgrounds Parking Lot
 Exhibit B: Proposed Fairgrounds Parking Expansion
 Exhibit C: Memorandum to the Champaign County ZBA dated January 6, 2016

cc: John Hall, Champaign County Zoning Administrator

Exhibit A: Champaign County Fairgrounds Parking

-  Existing Parking
-  Proposed Parking
-  Proposed Basin

N Coler Ave

Lakehouse Rd

N

1401

704

Fairview Ave

702

Sunset Dr

1209

1207

1205

1203

1201

1109

1107

1105

1103

1101

1011

1009

1007

1005

1003

1001

907

905

903

702



- KEYED SITE PLAN NOTES**
- 01 NEW STANDARD DUTY ASPHALT PARKING PAVEMENT—3/4" INCH THICKNESS HOT MIX ASPHALT ON 10 INCH THICKNESS CA-6 AGGREGATE BASE ON FILTER FABRIC ON COMPACTED SUBGRADE. SEE DETAIL SHEET 17.
 - 02 NEW BUS SHELTER STRUCTURE
 - 03 NEW STORM SEWER SYSTEM
 - 04 NEW PARKING LOT LIGHT POLES AND FIXTURES.
 - 05 RELOCATED EXISTING LIGHT POLE. SEE ELECTRICAL SITE PLAN SHEET E1.
 - 06 NEW WATER DISTRIBUTION SYSTEM. SEE WATER SYSTEM PLAN SHEET 9.

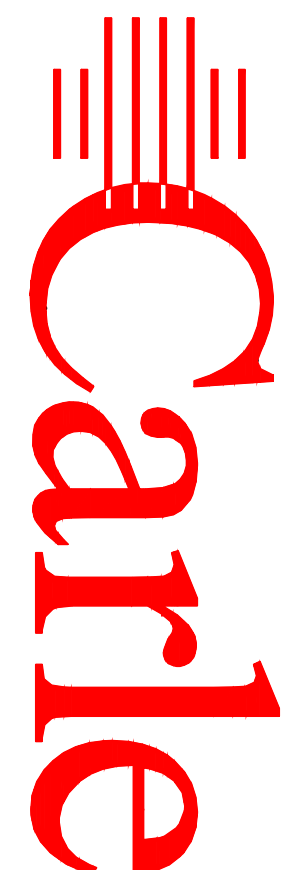
PARKING SPACE SUMMARY

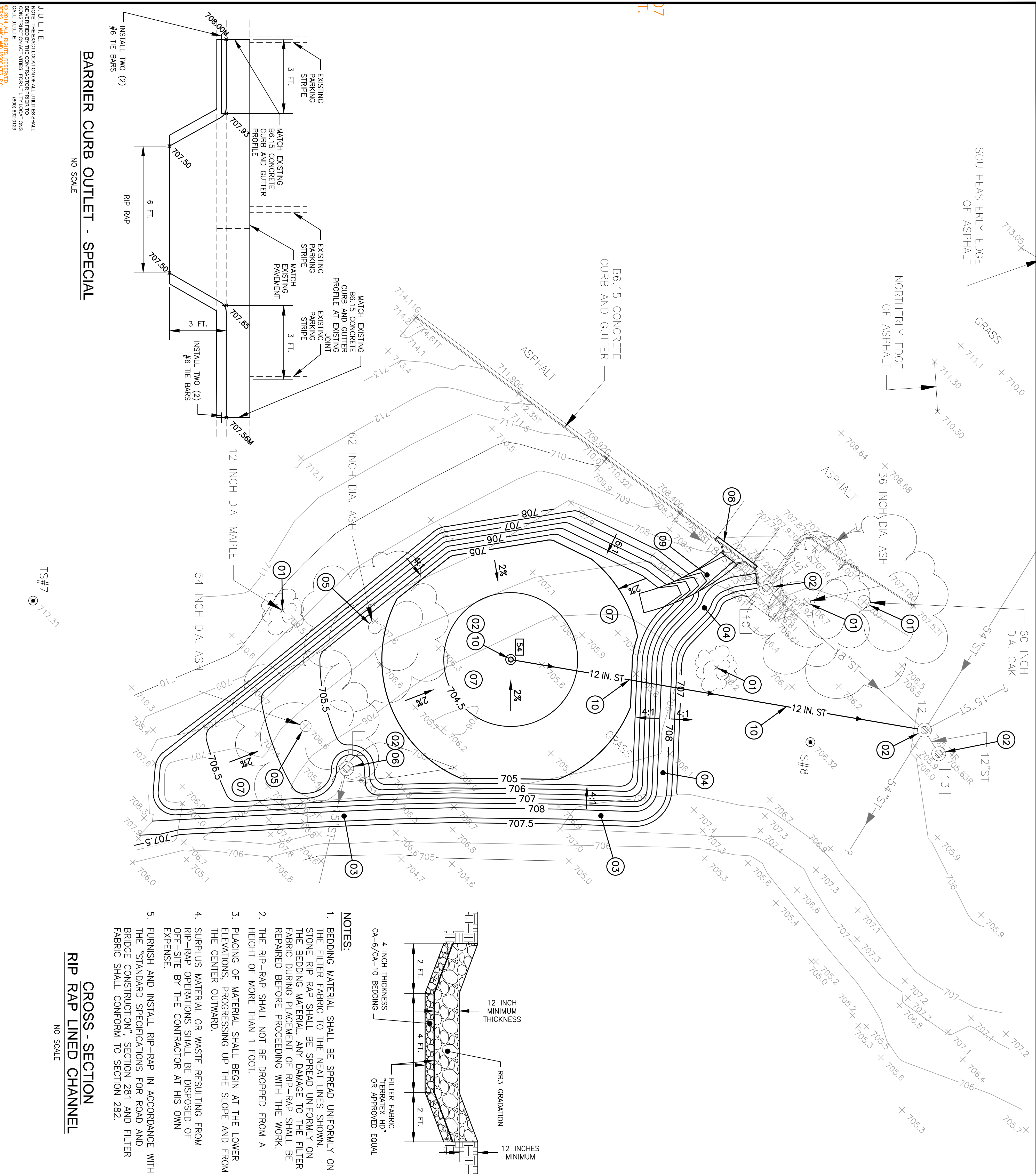
TOTAL NEW REGULAR SPACES:	201
TOTAL NEW HANDICAP SPACES:	2

(REMAINING REQUIRED HANDICAP SPACES ARE ALREADY LOCATED IN OTHER PARKING LOTS CLOSER TO THE HOSPITAL.)

LEGEND

- PROPOSED NUMBER OF PARKING SPACES
- PROPOSED STORM MANHOLE/INLET
- PROPOSED DITCH CENTERLINE
- DIRECTION OF FLOW
- PROPOSED PARKING LOT LIGHT POLE
- KEYED SITE PLAN NOTE





STORMWATER
MANAGEMENT PLAN

DATE: 03/24/15
SHEET: 12 OF 24
JOB: 2612-51

CARLE FOUNDATION HOSPITAL /
CHAMPAIGN COUNTY FAIRGROUNDS
PARKING LOT IMPROVEMENT SITE
URBANA TOWNSHIP,
CHAMPAIGN COUNTY, ILLINOIS

BCA

BERNS, CLANCY AND ASSOCIATES
ENGINEERS • SURVEYORS • PLANNERS
405 EAST MAIN STREET - POST OFFICE BOX 0755
URBANA, ILLINOIS 61803-0755
PHONE: (217) 384-1144 - FAX: (217) 384-3355

DESIGNED:	CB/RDM	REVISIONS
DRAFTED:	PE	
CHECKED:	CB/ELC/TBB	
FILE:	2612-51P1.DWG	

Carle

LEGEND

- PROPOSED STORM MANHOLE/INLET
- PROPOSED STORM MANHOLE/INLET DESIGNATION
- PROPOSED STORM SEWER LINE/SIZE
- PROPOSED INDEX CONTOUR LINE
- PROPOSED INTERMEDIATE CONTOUR LINE
- KEYED STORMWATER MANAGEMENT PLAN NOTE
- PROPOSED SPOT ELEVATION
- PROPOSED SPOT ELEVATION TO MATCH EXISTING ELEVATION

KEYED STORMWATER
MANAGEMENT PLAN NOTES

- PROTECT EXISTING TREE TO REMAIN. SEE TREE PROTECTION DETAILS AND NOTES ON SHEET 7.
- INSTALL AND MAINTAIN INLET PROTECTION. SEE DETAILS AND NOTES ON SHEET 6.
- REMOVE EXISTING GRASS AS NEEDED FOR CONSTRUCTION. PLACE TOPSOIL AS NEEDED TO PROVIDE A MINIMUM TOP ELEVATION OF 706.0 FEET AT A MINIMUM BERM WIDTH OF 4 FEET. PROVIDE MINIMUM 4 TO 1 SLOPE EASTERLY. PROVIDE 4 TO 1 SLOPE WESTERLY.
- REMOVE EXISTING GRASS AS NEEDED FOR CONSTRUCTION. PLACE AND COMPACT CLAY SOILS FOR NEW BERM. PLACE 6 INCH THICKNESS TOPSOIL. PROVIDE A MINIMUM TOP ELEVATION OF 708.0 FEET AT A MINIMUM BERM WIDTH OF 4 FEET. PROVIDE 4 TO 1 SIDE SLOPES.
- REMOVE EXISTING LARGE DIAMETER ASH TREE AND STUMP.
- REMOVE EXISTING CASTING AND FLAT SLAB CONCRETE TOP OF EXISTING MANHOLE 11. INSTALL OFFSET CONE SECTION WITH OFFSET TOWARD THE BERM. GROUT AND SEAL ALL JOINTS. INSTALL R-4342 STOOL TYPE DITCH GRADE.
- EXCAVATE STORMWATER DETENTION BASIN. PROVIDE 2 PERCENT MINIMUM BOTTOM SLOPE. PROVIDE 6 TO 1 SIDE SLOPE SOUTHEASTERLY OF EXISTING PARKING LOT. PROVIDE 4 TO 1 SIDE SLOPE ON ALL OTHER SIDES. PROVIDE 6 INCH THICKNESS TOPSOIL.
- SAW CUT FULL DEPTH OF EXISTING JOINT AND REMOVE EXISTING CONCRETE CURB AS NEEDED FOR CONSTRUCTION. CONSTRUCT BARRIER CURB OUTLET-SPECIAL. SEE DETAIL THIS SHEET.
- REMOVE EXISTING GRASS AND SOILS AS NEEDED FOR CONSTRUCTION. CONSTRUCT 8 FOOT WIDE, 40 FOOT LONG RIP RAP LINED CHANNEL. SEE CROSS SECTION DETAIL AND NOTES THIS SHEET.
- CONSTRUCT NEW STORM SEWER MANHOLE/INLET/STRUCTURE AND NEW STORM SEWER. SEE MANHOLE/INLET DATA AND PIPE SCHEDULE FOR INVERT ELEVATIONS, PIPE MATERIALS, PIPE SIZES AND SLOPES ON SHEET 11.
- FINE GRADE. PREPARE SEED BED. FERTILIZE. SEED AND MULCH FOR LAWN MIXTURE ALL DISTURBED AND TRANSITION AREAS. SEE SHEET 17.

Champaign County
Department of

**PLANNING &
ZONING**

Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

CASE NO. 819-AT-15

SUPPLEMENTAL MEMORANDUM

January 6, 2016

Petitioner: **Zoning Administrator** Prepared by: **John Hall**, Zoning Administrator

Request: * Amend the Zoning Ordinance as follows:

PART A

In Section 6.1.3 revise the standard conditions for "Fairground" by adding the following special provision (standard condition):

Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, wherever possible, shall preserve existing habitat, enhance degraded habitat, and restore habitat."

PART B

1. In Section 4.2.1 C. add "PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2."
2. In Section 5.2, add "PARKING GARAGE or LOT" as a Special Use Permit in the CR District and add a footnote stating that "PARKING LOT and related passenger waiting buildings may be authorized in the CR District by SPECIAL USE Permit only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds provided that the Public Fairgrounds were an established use at the subject location on October 10, 1973, and provided that a Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void and subject to the standard conditions in Section 6.1.3."
3. In Section 6.1.3 add as a Special Use "PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District" and require no minimum fencing; require the minimum LOT AREA, Width, Maximum HEIGHT, and Required Yards to be the same as in the CR Zoning DISTRICT; and add the following special provisions (standard conditions):
 1. All or part of the parking area(s) may be used for parking not otherwise related to the Fairground and the non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings.
 2. Traffic impacts shall be considered.

***This description is based on the revised legal advertisement.**

REVISED PROPOSED AMENDMENT

A revised legal advertisement for this case was published on December 23, 2015. An annotated version of the revised proposed amendment is included as an Attachment.

PRELIMINARY DRAFT FINDING OF FACT

The Draft Finding of Fact has been updated with the new description and is included as Attachment B.

The Finding of Fact is based on the proposed changes to the text amendment.

The Summary Finding of Fact (see pages 11 & 12) summarizes the important Findings.

ATTACHMENTS

- A Revised Proposed Amendment (Annotated)**
- B 1/06/16 Revised Preliminary Draft Finding of Fact**

Attachment A. Revised Proposed Amendment (Annotated)

Case 819-AT-15

JANUARY 6, 2016

PART A

1. Revise Section 6.1.3 by adding the following special provision (standard condition) for "Fairground":

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (Feet)	Feet	Stories	Front Setback from STREET Centerline ²					
						STREET Classification			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
Fairground	6' wire mesh	20	(1)	(1)	(1)	100	100	100	50	50	*See below
<u>Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, shall wherever possible, preserve existing habitat, enhance degraded habitat, and restore habitat.</u>											

Attachment A. Revised Proposed Amendment (Annotated)

Case 819-AT-15

JANUARY 6, 2016

PART B

- 1. Add new subparagraph 4.2.1 C.4. to read as follows (all of existing 4.2.1 has also been included below for convenience of the reader):**

4.2.1 CONSTRUCTION and USE

- C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:
 1. Mortuary or funeral home may be authorized as a Special Use Permit in the AG-2, Agriculture Zoning District, when it is on a lot under common management with a cemetery.
 2. Up to three BIG WIND TURBINE TOWERS may be authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in the AG-1 Agriculture and AG-2 Agriculture DISTRICTS.
 3. RESIDENTIAL RECOVERY CENTER may be authorized as a SPECIAL USE Permit in the AG-2, Agriculture Zoning DISTRICT in accordance with Section 5.2.
 4. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2.

Attachment A. Revised Proposed Amendment (Annotated)

Case 819-AT-15

JANUARY 6, 2016

PART B (continued)

2. Revise Section 5.2 by revising “PARKING GARAGE or LOT” and adding a new footnote to read as follows (“Fairgrounds” has also been included below for convenience of the reader):

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Public and Quasi-Public Facilities															
PARKING GARAGE or LOT	S ²²														
Public Fairgrounds	S		S											S	S

Footnotes

22. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to the standard conditions in Section 6.1.3. provided that the Public Fairgrounds were an established use at the subject location on October 10, 1973, and provided that a Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void and subject to the standard conditions in Section 6.1.3.

Attachment A. Revised Proposed Amendment (Annotated)

Case 819-AT-15

JANUARY 6, 2016

PART B (continued)

3. Revise Section 6.1.3 by adding a new special use "PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District" with special provisions (standard conditions) to read as follows (Part A of the amendment has also been included below for convenience of the reader):

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (Feet)	Feet	Stories	Front Setback from STREET Centerline ²		STREET Classification			
						MAJOR	COLLECTOR	MINOR	SIDE	REAR	
Fairground	6' wire mesh	20	(1)	(1)	(1)	100	100	100	50	50	<u>*See below</u>
<u>Site design, land management, and storm water management designs and practices shall provide effective site drainage; meet or exceed state and federal water quality standards; protect downstream drainage patterns; provide for stream flows that support healthy aquatic ecosystems; minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, wherever possible, preserve existing habitat, enhance degraded habitat, and restore habitat.</u>											
<u>PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District</u>	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	<u>*See below</u>
<u>At a Public Fairgrounds that was an established USE at the subject location on October 10, 1973, all or part of the parking area(s) may be used for parking not otherwise related to the Fairground and the non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings, so long as authorized as part of the Special Use Permit and subject to the following:</u> <u>a. Traffic impacts shall be considered.</u> <u>b. A Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void.</u>											
Public HOSPITAL	NR	5	(1)	(1)	(1)	(1)	(1)	(1)	40	40	

Footnotes

- Standard same as applicable zoning DISTRICT.
- In no case, however, shall the FRONT YARD, measured from the nearest RIGHT-OF-WAY line, be less than 35' from a MAJOR STREET, 30' from a COLLECTOR STREET, or 25' from a MINOR STREET. Where 25% or more of the LOTS within a BLOCK, such LOTS abutting STREETS other than federal or state highways, were occupied by MAIN or PRINCIPAL STRUCTURES prior to the effective date of this ordinance, the average of the SETBACK LINES of such STRUCTURES shall be the minimum SETBACK LINE of the remaining vacant LOTS within such BLOCK except where the public health, safety, comfort, morals, or welfare are endangered.
- Other standards shall be in accordance with the "State of Illinois Environmental Protection Agency Solid Waste Rules and Regulations," effective July 27, 1973.

Attachment A. Revised Proposed Amendment (Annotated)

Case 819-AT-15

JANUARY 6, 2016

4. Applications for sewage disposal facilities shall include plans for such facilities prepared by a registered professional engineer. All plans shall include assurance that the proposed facilities will not be subject to flooding, will not contaminate ground water resources, and any other assurances that may be required by the BOARD. All sewage disposal facilities shall be constructed in accordance with the rules and regulations of the State of Illinois and this ordinance.
5. Industrial Pre-existing USES must make application to obtain SPECIAL USE status.
6. The specific location and area to be enclosed by required fencing shall be determined by the Zoning Board of Appeals.

1/06/16 REVISED PRELIMINARY DRAFT**819-AT-15****FINDING OF FACT
AND FINAL DETERMINATION****of
Champaign County Zoning Board of Appeals**Final Determination: ***{RECOMMEND ENACTMENT/RECOMMEND DENIAL}***

Date: _____

Petitioner: Zoning Administrator

Request: Amend the Zoning Ordinance as follows:

PART A

In Section 6.1.3 revise the standard conditions for "Fairground" by adding the following special provision (standard condition):

Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, wherever possible, shall preserve existing habitat, enhance degraded habitat, and restore habitat."

PART B

1. In Section 4.2.1 C. add "PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2."
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 3. In Section 6.1.3 add as a Special Use "PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District" and require no minimum fencing; require the minimum LOT AREA, Width, Maximum HEIGHT, and Required Yards to be the same as in the CR Zoning DISTRICT; and add the following special provisions (standard conditions):
 1. All or part of the parking area(s) may be used for parking not otherwise related to the Fairground and the non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings.
 2. Traffic impacts shall be considered.
-

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 10, 2015, December 17, 2015, and January 14, 2016**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The need for the amendment came about as follows:
 - A. The Champaign County Fair Association was granted a Special Use Permit for the Fairgrounds by the Zoning Board of Appeals in Case 962-S-94 on March 16, 1995. The use of the Fairgrounds parking areas by Carle Hospital and/or Carle Clinic on a daily basis had already been established by that time even though there is no mention of Carle's use in the records of Case 962-S-94.
 - B. The Carle "pick-up stations" (the bus waiting enclosures) in the Fairgrounds parking lot were authorized in the Phase 3 Parking Plans that were approved by the Zoning Administrator on May 5, 1994.
 - C. As constructed, the pick-up stations meet the Zoning Ordinance definition of "buildings" but are only used by Carle's employees and patients and therefore constitute an additional non-Fairground principal USE or additional principal STRUCTURE on the Fairground property.
 - D. Sec. 4.2.1C. of the Ordinance prohibits more than one PRINCIPAL USE and more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT in the CR Conservation Recreation Zoning District unless specifically authorized in the Ordinance.
 - E. The proposed amendment will amend the Ordinance so that the Champaign County Fair Association may apply for a new Special Use Permit for the Fairgrounds including the non-Fairground use of the parking lot and the related passenger waiting buildings.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. The proposed amendment has been significantly revised based on comments from the City of Urbana staff.

SUMMARY OF THE PROPOSED AMENDMENT

4. The proposed amendment is attached to this Finding of Fact as it will appear in the Zoning Ordinance.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

5. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
- A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:
- “It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:”
- B. The LRMP defines Goals, Objectives, and Policies as follows:
- (1) Goal: an ideal future condition to which the community aspires
- (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
- (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
- C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.

REGARDING LRMP GOALS

6. LRMP Goal 1 is entitled “Planning and Public Involvement” and states that as follows:
- Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.**
- Goal 1 has 4 objectives and 4 policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 1.
7. LRMP Goal 2 is entitled “Governmental Coordination” and states as follows:
- Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.**

Goal 2 has two objectives and three policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 2.

8. LRMP Goal 3 is entitled "Prosperity" and states as follows:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 has three objectives and no policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 3.

9. LRMP Goal 4 is entitled "Agriculture" and states as follows:

Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

Goal 4 has 9 objectives and 22 policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 4.

10. LRMP Goal 5 is entitled "Urban Land Use" and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

Goal 5 has 3 objectives and 15 policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 5 in general.

11. LRMP Goal 6 is entitled "Public Health and Safety" and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 6.

12. LRMP Goal 7 is entitled "Transportation" and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 has 2 objectives and 7 policies. The proposed text amendment will **HELP ACHIEVE** Goal 7 for the following reason:

- A. Objective 7.1 is entitled "Traffic Impact Analysis" and states, "**Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.**"

The proposed rezoning will **HELP ACHIEVE** Objective 7.1 as follows:

- (1) Policy 7.1.1 states, "**The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation.**"

The proposed rezoning **HELP ACHIEVE** Policy 7.1.1 for the following reasons:

- a. Traffic impacts are considered at least in a general way in any discretionary review.
- b. The proposed amendment includes a standard condition requiring that “Traffic impacts shall be considered.” The proposed standard condition will not require a traffic impact analysis in every instance but it does elevate traffic considerations to a greater than normal concern.

13. LRMP Goal 8 is entitled “Natural Resources” and states as follows:

Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.

Goal 8 has 9 objectives and 36 policies. The proposed text amendment is directly relevant to the Objectives and policies that are reviewed below and will **HELP ACHIEVE** Goal 8 for the following reasons:

- A. Objective 8.4 is entitled “Surface Water Protection” and states **“Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation.”**

The proposed text amendment will **HELP ACHIEVE** Objective 8.4 because of the following:

- (1) Objective 8.4 has 6 policies. Policies 8.4.1, 8.4.3, 8.4.4, and 8.4.6 are not directly relevant to the proposed text amendment.
- (2) Policy 8.4.2 states **“The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.”**

The proposed text amendment will **HELP ACHIEVE** Policy 8.4.2 because the proposed amendment includes standard conditions in Section 6.1.3 that restate this policy in near verbatim and any Special Use Permit for a Fairgrounds will specifically be reviewed for achievement of this policy.

- (3) Policy 8.4.5 states **“The County will ensure that non-point discharges from new development meet or exceed state and federal water quality standards.”**

The proposed text amendment will **HELP ACHIEVE** Policy 8.4.5 because the proposed amendment includes standard conditions in Section 6.1.3 that restate this policy in near verbatim and any Special Use Permit for a Fairgrounds will specifically be reviewed for achievement of this policy.

- B. Objective 8.5 is entitled “Aquatic and Riparian Ecosystems” and states **“Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.”**

The proposed text amendment will *HELP ACHIEVE* the achievement of Objective 8.5 because of the following:

- (1) Objective 8.5 has 5 policies. Policies 8.5.3, 8.5.4, and 8.5.5 are not directly relevant to the proposed text amendment.
- (2) Policy 8.5.1 states **“For discretionary development, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.”**

The proposed text amendment will *HELP ACHIEVE* the achievement of Policy 8.5.1 because the proposed amendment includes standard conditions in Section 6.1.3 that restate this policy in near verbatim and any Special Use Permit for a Fairgrounds will specifically be reviewed for achievement of this policy.

- (3) Policy 8.5.2 states **“The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.”**

The proposed text amendment will *HELP ACHIEVE* the achievement of Policy 8.5.2 because the proposed amendment includes standard conditions in Section 6.1.3 that restate this policy in near verbatim and any Special Use Permit for a Fairgrounds will specifically be reviewed for achievement of this policy.

- C. Objective 8.6 is entitled “Natural Areas and Habitat” and states **“Champaign County will encourage resource management which avoids loss or degradation of areas representative of the pre-settlement environment and other areas that provide habitat for native and game species.”**

The proposed text amendment will *HELP ACHIEVE* the achievement of Objective 8.6 because of the following:

- (1) Objective 8.6 has 6 policies. Policies 8.6.3, 8.6.4, 8.6.5, and 8.6.6 are not relevant to the proposed text amendment.
- (2) Policy 8.6.1 states:
The County will encourage educational programs to promote sound environmental stewardship practices among private landowners.

The proposed text amendment will *NOT IMPEDE* the achievement of Policy 8.6.1.

(3) Policy 8.6.2 states:

- a. **“For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.**
- b. **With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.”**

The proposed text amendment will *HELP ACHIEVE* Policy 8.6.2 to the extent that part a. of this policy is similar to the combined policies 8.5.1 and 8.5.2

14. LRMP Goal 9 is entitled “Energy Conservation” and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

Goal 9 has 5 objectives and 5 policies. The proposed text amendment will *NOT IMPEDE* the achievement of Goal 9.

15. LRMP Goal 10 is entitled “Cultural Amenities” and states as follows:

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 has 1 objective and 1 policy. Goal 10 is *NOT RELEVANT* to the proposed text amendment in general.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

16. The proposed text amendment appears to *HELP ACHIEVE* the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

The proposed text amendment is not directly related to this purpose.

- B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

The proposed amendment will *HELP ACHIEVE* this purpose to the extent that it will allow the Champaign County Fair Association to apply for a new Special Use permit in

which the parking arrangement with Carle will presumably be continued or even expanded and thereby, in effect, conserving the value of the Fairgrounds.

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed text amendment is not directly related to this purpose.

- D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

The proposed text amendment is not directly related to this purpose.

- E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

The proposed amendment is not directly related to this purpose.

- F. Paragraph 2.0 (f) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the height and bulk of buildings and structures hereafter to be erected.

The proposed text amendment is not directly related to this purpose.

- G. Paragraph 2.0 (g) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to establish, regulate, and limit the building or setback lines on or along any street, trafficway, drive or parkway.

The proposed text amendment is not directly related to this purpose.

- H. Paragraph 2.0 (h) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the intensity of the use of lot areas, and regulating and determining the area of open spaces within and surrounding buildings and structures.

The proposed text amendment is not directly related to this purpose.

- I. Paragraph 2.0 (i) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to classify, regulate, and restrict the location of trades and industries and the location of buildings, structures, and land designed for specified industrial, residential, and other land uses.

The proposed text amendment is directly related to this purpose to the same extent as paragraph 2.0 (b) and will **HELP ACHIEVE** this purpose.

- J. Paragraph 2.0 (j) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to divide the entire County into districts of such number, shape, area, and such different classes according to the use of land, buildings, and structures, intensity of the use of lot area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance.

The proposed text amendment is directly related to this purpose to the same extent as paragraph 2.0 (b) and will **HELP ACHIEVE** this purpose.

- K. Paragraph 2.0 (k) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to fix regulations and standards to which buildings, structures, or uses therein shall conform.

The proposed text amendment is directly related to this purpose to the same extent as paragraph 2.0 (b) and will **HELP ACHIEVE** this purpose.

- L. Paragraph 2.0 (l) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prohibit uses, buildings, or structures incompatible with the character of such districts.

The proposed text amendment is directly related to this purpose to the same extent as paragraph 2.0 (b) and will **HELP ACHIEVE** this purpose.

- M. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The proposed text amendment is directly related to this purpose to the same extent as paragraph 2.0 (b) and will **HELP ACHIEVE** this purpose.

- N. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.

The proposed text amendment is not directly related to this purpose.

- O. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The proposed text amendment will **HELP ACHIEVE** this purpose. See the discussion of LRMP Objectives 8.4, 8.5 and 8.6. under items 13.A., B., and C.

- P. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The proposed text amendment is not directly related to this purpose.

- Q. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The proposed text amendment is not directly related to this purpose.

- R. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed text amendment is not directly related to this purpose.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 10, 2015, December 17, 2015, and January 14, 2016**, the Zoning Board of Appeals of Champaign County finds that:

1. Regarding the effect of this text amendment on the Land Resource Management Plan (LRMP):

A. Regarding Goal 8 Natural Resources:

- This amendment will **HELP ACHIEVE** Objective 8.4 requiring the County to work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation because it will **HELP ACHIEVE** the following:
 - Policy 8.4.2 requiring the County to require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems (see Item 13.A.(2)).
 - Policy 8.4.5 requiring the County to ensure that non-point discharges from new development meet or exceed state and federal water quality standards (see Item 13.A.(3)).
- This amendment will **HELP ACHIEVE** Objective 8.5 requiring the County to encourage the maintenance and enhancement of aquatic and riparian habitats because while it will either not impede or is not relevant to the other Policies under this Objective, it will **HELP ACHIEVE** the following:
 - Policy 8.5.1 requiring discretionary development to preserve existing habitat, enhance degraded habitat and restore habitat (see Item 13.B.(2)).
 - Policy 8.5.2 requiring discretionary development to cause no more than minimal disturbance to the stream corridor environment (see Item 13.B.(3)).
- This amendment will **HELP ACHIEVE** Objective 8.6 requiring that the County avoid loss or degradation of areas representative of the pre-settlement environment and other areas that provide habitat for native and game species because it will **HELP ACHIEVE** the following:
 - Policy 8.6.2 requiring new development to minimize the disturbance of habitat or to mitigate unavoidable disturbance of habitat (see Item 13.C.(3)).
- Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed text amendment will **HELP ACHIEVE** Goal 8 Natural Resources.

B. Regarding Goal 7 Transportation:

- This amendment will **HELP ACHIEVE** Objective 7.1 requiring that Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted because it will **HELP ACHIEVE** the following:
 - Policy 7.1.1 requiring the County to include traffic impact analyses in discretionary review development proposals with significant traffic generation (see Item 12.A.).

- Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, this text amendment will **HELP ACHIEVE Goal 7 Transportation.**

C. This text amendment will **NOT IMPEDE** the following LRMP goal(s):

- **Goal 1 Planning and Public Involvement**
- **Goal 2 Governmental Coordination**
- **Goal 3 Prosperity**
- **Goal 4 Agriculture**
- **Goal 5 Urban Land Use**
- **Goal 6 Public Health and Safety**
- **Goal 9 Energy Conservation**
- **Goal 10 Cultural Amenities**

D. Overall, this text amendment will **HELP ACHIEVE** the Land Resource Management Plan.

2. The proposed Zoning Ordinance text amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because it will **HELP ACHIEVE** the following purposes of the Ordinance:

- This text amendment will **HELP** conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY (Purpose 2.0 (b); see Item 16.B.).
- This text amendment will **HELP** classify, regulate, and restrict the location of trades and industries and the location of buildings, structures, and land designed for specified industrial, residential, and other land uses. (Purpose 2.0 (i); see Item 16.I.).
- This text amendment will **HELP** divide the entire County into districts of such number, shape, area, and such different classes according to the use of land, buildings, and structures, intensity of the use of lot area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance. (Purpose 2.0 (j); see Item 16.J.).
- This text amendment will **HELP** fix regulations and standards to which buildings, structures, or uses therein shall conform. (Purpose 2.0 (k); see Item 16.K.).
- This text amendment will **HELP** prohibit uses, buildings, or structures incompatible with the character of such districts. (Purpose 2.0 (l); see Item 16.L.).
- This text amendment will **HELP** prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance. (Purpose 2.0 (m); see Item 16.M.).
- This text amendment will **HELP** protect natural features such as forested areas and watercourses. (Purpose 2.0 (o); see Item 16.O.).

DOCUMENTS OF RECORD

1. Preliminary Memorandum dated December 4, 2015, with Attachments:
 - A ELUC Memorandum dated October 26, 2015
 - B Proposed Amendment (Annotated)
 - C Champaign County Land Resource Management Plan Land Use Goals, Objectives, and Policies (included separately)
2. Supplemental Memorandum dated December 17, 2015, with Attachments:
 - A Revised Amendment (Annotated)
 - B Preliminary Draft Finding of Fact
3. Supplemental Memorandum dated January 6, 2016, with Attachments:
 - A Revised Amendment (Annotated)
 - B Revised Preliminary Draft Finding of Fact 1/06/16

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Zoning Ordinance Text Amendment requested in **Case 819-AT-15** should ***{BE ENACTED / NOT BE ENACTED}*** by the County Board in the form attached hereto.

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

Proposed Amendment**PART A**

1. Revise Section 6.1.3 by adding the following special provision (standard condition) for "Fairground" to read as follows:

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (Feet)	Feet	Stories	Front Setback from STREET Centerline ²					
						STREET Classification					
						MAJOR	COLLECTOR	MINOR	SIDE	REAR	
Fairground	6' wire mesh	20	(1)	(1)	(1)	100	100	100	50	50	*See below
<u>Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, shall wherever possible, preserve existing habitat, enhance degraded habitat, and restore habitat.</u>											

PART B

1. Add new subparagraph 4.2.1 C.4. to read as follows:
 4. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2.
2. Revise Section 5.2 by revising "PARKING GARAGE or LOT" and adding a new footnote #22 to read as follows:

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Public and Quasi-Public Facilities															
PARKING GARAGE or LOT	S ²²														

Footnotes

22. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to the standard conditions in Section 6.1.3. provided that the Public Fairgrounds were an established use at the subject location on October 10, 1973, and provided that a Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void and subject to the standard conditions in Section 6.1.3.

PART B (continued)

3. **Revise Section 6.1.3 by adding a new special use “PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District” with special provisions (standard conditions) to read as follows:**

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁵	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (Feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						STREET Classification					
						MAJOR	COLLECTOR	MINOR			
PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>At a Public Fairgrounds that was an established USE at the subject location on October 10, 1973, all or part of the parking area(s) may be used for parking not otherwise related to the Fairground and the non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings, so long as authorized as part of the Special Use Permit and subject to the following:</p> <p>a. Traffic impacts shall be considered.</p> <p>b. A Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void.</p>											

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

1776 E. Washington Street

Urbana, IL 61801

DATE: December 17, 2015

**PLACE: John Dimit Meeting Room
1776 East Washington Street
Urbana, IL 61802**

TIME: 6:30 p.m.

MEMBERS PRESENT: Catherine Capel, Frank DiNovo, Debra Griest, Marilyn Lee, Brad Passalacqua, Jim Randol

MEMBERS ABSENT : Eric Thorsland

STAFF PRESENT : Connie Berry, Susan Chavarria, John Hall

OTHERS PRESENT : Matt Waughtel, Scott Harding, Mike Kobel

1. Call to Order

The meeting was called to order at 6:33 p.m.

Ms. Chavarria informed the Board that due to the planned absence of Eric Thorsland, Chair, the Board needs to appoint an Interim Chair for tonight's meeting.

Mr. Passalacqua moved, seconded by Mr. Randol to appoint Catherine Capel as the Interim Chair for tonight's meeting. The motion carried by voice vote.

2. Roll Call and Declaration of Quorum

The roll was called and a quorum declared present with one member absent.

Ms. Capel informed the audience that anyone wishing to testify for any public hearing tonight must sign the witness register for that public hearing. She reminded the audience that when they sign the witness register they are signing an oath.

3. Correspondence

None

4. Approval of Minutes

None

Ms. Capel entertained a motion to rearrange the agenda and hear Case 816-V-15, Matt and Amanda Waughtel d.b.a. Bulldog Bullpen Day Care prior to Case 819-AT-15, Zoning Administrator.

DRAFT

ZBA

DRAFT SUBJECT TO APPROVAL DRAFT

12/17/15

Ms. Lee moved, seconded by Ms. Griest to rearrange the agenda and hear Case 816-V-15, Matt and Amanda Waughtel d.b.a. Bulldog Bullpen Day Care prior to Case 819-AT-15, Zoning Administrator. The motion carried by voice vote.

5. Continued Public Hearing

Case 819-AT-15 Petitioner: Champaign County Zoning Administrator Request: Amend the Champaign County Zoning Ordinance by adding the following: A. In Section 4.2.1 C. add "HOSPITAL, medical CLINIC, HOSPITAL AND MEDICAL clinic, and/or any use and/or structure that is accessory to a HOSPITAL and/or medical CLINIC may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2" B. In Section 5.2, add "HOSPITAL" as a Special Use Permit in the CR District and add a footnote stating the "HOSPITAL, medical CLINIC, HOSPITAL and medical CLINIC, and/or structure that is accessory to a HOSPITAL and/or medical CLINIC, may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to the standard conditions in Section 6.1.3." C. In Section 5.2, add "Medical and Dental Clinic" as a Special Use Permit in the CR District and make the Special Use Permit subject to the same footnote as for HOSPITAL as a Special Use Permit in the CR District. D. In Section 6.1.3 add "HOSPITAL, medical CLINIC, HOSPITAL and medical CLINIC, and/or any use and/or structure that is accessory to a HOSPITAL and/or medical CLINIC, as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District" and require no minimum fencing; require the minimum LOT AREA, Width, Maximum HEIGHT, and Required Yards to be the same as in the CR Zoning DISTRICT; and add the following special provisions (standard conditions)" 1. The Public Fairgrounds must have been an established use at the subject location on October 10, 1973. 2. Traffic impacts shall be considered. 3. Site design, land management, and storm water management designs and practices shall provide effective site drainage; meet or exceed state and federal water quality standards; protect downstream drainage patterns; minimize impacts on adjacent properties; provide for stream flows that support healthy aquatic ecosystems; and, wherever possible, preserve existing habitat and enhance degraded habitat. 4. A Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void.

Ms. Capel informed the audience that anyone wishing to testify for any public hearing tonight must sign the witness register for that public hearing. She reminded the audience that when they sign the witness register they are signing an oath.

Mr. John Hall, Zoning Administrator, distributed a new Supplemental Memorandum dated December 17, 2015, to the Board for review. He said that the description on the front page of the new memorandum is the old description and is not intended to confuse people but the case has not been changed yet. He said that Attachment A. to the new memorandum is the revised proposed amendment. He said that page 2 of the new

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1 memorandum includes a summary of the revised proposed amendment and it is being changed in three ways.
2 He said that the only fairgrounds buildings that will be non-fairgrounds buildings will be passenger waiting
3 buildings related to the parking lot. He said that the parking lot itself can be used by a single non-fairground
4 entity or for multiple other uses that would be a function of a special use permit which would provide greater
5 flexibility and use of the parking area.

6
7 Mr. Hall stated that the requirement for site design, land management and storm water management designs
8 and practices should apply to the fairgrounds and not just to the parking area. He said that in the revised
9 proposed amendment on page A-3 in the proposed amendment to Section 6.1.3 the one condition regarding
10 storm water management literally applies to the fairgrounds. He said that the new special use, Parking Lot
11 and related passenger waiting buildings, is an additional principal use or additional principal structure on a
12 Public Fairgrounds in the CR District. He said that this is where it is established that this has to be a
13 fairground that was at the subject property on October 10, 1973, and traffic impacts shall be considered and a
14 public fair must continue to be held at the public fairgrounds or the special use permit shall become void.
15 He said that this is a substantial restructuring of the amendment but the restructuring is necessary to meet the
16 Land Resource Management Plan and to guarantee that the policies in the LRMP are met. He said that as a
17 practical matter he does not believe that it changes anything on any anticipated special use permit because
18 those things were all going to be done anyway. He said that he would like to publish a new legal
19 advertisement.

20
21 Mr. Hall stated that the changes in Section 6.1.3 in regards to how some things apply to the fairgrounds and
22 the others just to the parking lot were not based on any other concerns other than his own. He said that the
23 change regarding the only non-fairground buildings to be allowed would be the passenger waiting buildings
24 related to the parking area was intended to answer the concerns of the City of Urbana staff. He said that the
25 proposed revised amendment meets the needs of the Champaign County Fair Association and it is always
26 better if we can get through these types of changes with the least amount of disagreement.

27
28 Mr. Hall stated that the amendment was circulated to everyone ahead of time and it appeared that it was
29 something that everyone could agree on. He said that he would like to publish a new legal advertisement
30 and have this case continued to the January 14, 2016, meeting. He said that there is a draft Finding of Fact
31 that is attached to the new memorandum and he is not anticipating action tonight but this will give the Board
32 ample time to review this Finding of Fact. He said that the January 14th meeting is already a big meeting and
33 adding this to the end will make it a longer meeting but he would like to have this case in front of ELUC in
34 February if possible and since the Board only has one meeting in January that's the only opportunity for a
35 continuance. He said that a continuance date is entirely up to the Board and if continuing the case to the
36 January 14th meeting is too soon then that is the Board's call but currently this is the state of this case.

37
38 Mr. Passalacqua asked Mr. Hall if he is the only Board member who will be absent from the January 14th
39 meeting.

40
41 Mr. Hall stated yes, at this time.

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1
2 Ms. Griest asked Mr. Hall if the restructure will allow a health fair on the fairgrounds.

3
4 Mr. Hall stated yes.

5
6 Ms. Griest asked Mr. Hall if the Board will be far enough along on January 14th that this case will be
7 relatively quick therefore moving it up on the agenda as the first case.

8
9 Mr. Hall stated that he hopes that it will be a quick case and moving the case as the first case of the night
10 would be a reasonable thing to do because the other three cases are not going to be quick. He said that he
11 trusts the Board's judgement of the arrangement of the agenda.

12
13 Ms. Capel asked the Board if there were any additional questions for Mr. Hall.

14
15 Mr. DiNovo stated he would like clarification of the changes in Sections 5.2 and 6.1. He said that the
16 limitation in doing this in conjunction with the fairgrounds is included in Section 6.1 as a standard condition
17 which is waivable. He asked Mr. Hall if Section 5.2 would ensure that the provision could never be used by
18 another parcel of land in the County which is zoned CR.

19
20 Mr. Hall stated that the only things established in Section 5.2 are that the only time that a parking lot is
21 allowed in the CR district is as a conditional principal use on public fairgrounds. He said that one can
22 imagine a new public fairgrounds being created in the CR district in which case the standard condition
23 regarding it being a fairgrounds in existence on October 10, 1973, could be waived. He said that the only
24 way to make it non-waivable would be to write in the fairgrounds being in existence on October 10, 1973, as
25 part of Section 5.2.

26
27 Mr. DiNovo stated that perhaps he is being paranoid as this is a very small issue.

28
29 Mr. Hall stated that it is not a small issue and it is a good point. He said that this change would make it
30 consistent with what we did in the amendment for the Residential Recovery Center because we did not want
31 Residential Recovery Centers popping up any place other than where the Board spent a lot of time listening
32 to good testimony. He said that he appreciates Mr. DiNovo's suggestion and he would go so far as to
33 include the requirement that a public fair must continue to be held at the public fairgrounds. He said that in
34 a zoning interpretation sense that would be a requirement nonetheless but it is better to have it as a
35 requirement in black and white.

36
37 Mr. DiNovo stated that the changes would assure that people don't misunderstand the Ordinance.

38
39 Ms. Capel asked the Board if there were any additional questions for staff and there were none.

40
41 Ms. Capel called Mike Kobel to testify.

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Mr. Mike Kobel, who resides at 1408 E. Florida Avenue, stated that he is the President of the Champaign County Fair Association Board of Directors. He said that he is present tonight to address any concerns that the Board may have regarding the proposed project. He noted that he is also a fire chief in the County.

Ms. Capel asked the Board if there were any questions for Mr. Kobel and there were none.

Ms. Capel asked if staff had any questions for Mr. Kobel and there were none.

Ms. Capel called Scott Harding to testify.

Mr. Scott Harding, Vice-President of Facilities and Support Services for Carle Hospital, stated that his office is located at 611 West Park, Urbana. He said that he is also present tonight to address any questions or concerns that the Board may have regarding the proposed project. He said that he has been working closely with Mr. Kobel regarding the project.

Ms. Capel asked the Board if there were any questions for Mr. Harding.

Ms. Griest asked Mr. Harding if the proposed changes to the text amendment are acceptable.

Mr. Harding stated yes.

Ms. Capel asked if staff had any questions for Mr. Harding and there were none.

Ms. Capel stated that the Board will now review the Summary Finding of Fact.

Summary Finding of Fact for Case 819-AT-15:

From the documents of record and the testimony and exhibits received at the public hearing conducted on December 10, 2015, and December 17, 2015, the Zoning Board of Appeals of Champaign County finds that:

1. Regarding the effect of this amendment on the Land Resource Management Plan (LRMP):

A. Regarding Goal 8 Natural Resources:

- This amendment will **HELP ACHIEVE** Objective 8.4 requiring the County to work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation because it will **HELP ACHIEVE** the following:
 - Policy 8.4.2 requiring the County to require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize

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impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems (See Item 13.A.(2)).

Policy 8.4.5 requiring the County to ensure that non-point discharges from new development meet or exceed state and federal water quality standards (See Item 13.A.(3)).

Ms. Capel stated that there are basically no decision points in the Summary Finding of Fact for the Board.

Mr. Hall stated that there is only a recommendation for everything and Ms. Capel is correct in that there are no apparent decision points for the Board but staff could be wrong with these recommendations and the Board should go back and read items 13.A.(2), 13.A.(3), 13.B.(2). He add that what this boils down to is that the specific requirements from each policy have been written in as standard conditions; therefore, he believes that it is fair to say that it is going to achieve those policies and of course that really depends on any particular special use permit that is approved. He said that all that the text amendment can do is establish a proper structure and that is what it is doing. He said that there is not a lot of evidence in the Finding of Fact and it just simply states that the wording from this policy is verbatim as a standard condition therefore it will achieve it. He said that he did not see any place where he had to recommend anything other than WILL ACHIEVE.

Ms. Capel asked the Board if they desired to go through the Finding of Fact point by point to review the appropriate LRMP references.

Mr. Randol stated that he sees no reason to go through it since there are no decision points for the Board.

Ms. Griest stated that she is happy with the Finding of Fact as it is proposed however the Board may want to wait in taking a final vote on it until the next meeting so that any citizens who attend could present testimony.

Ms. Capel agreed with Ms. Griest. Ms. Capel said that waiting until the next public hearing for this case would also give the Board additional time to review the findings and the LRMP.

Mr. Hall stated that in the mailing for the next public hearing for this case the Board will receive a revised draft because he has to change the description of the text amendment on the first page of the finding and the new version will have a copy of the proposed amendment attached. He said that between now and then he does not plan to take any time tickling the finding of fact but he is certainly open to any suggestions that the Board may have.

Ms. Griest stated that staff should include the footnote change in Section 5.2, Footnote 22.

Mr. Hall stated that he will be doing that in the morning and will send the new legal advertisement to the newspaper tomorrow for publication.

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1 Mr. DiNovo asked if the Board will review each item in the Draft Finding of Fact at the next public hearing.

2
3 Ms. Capel stated that the Board will have to accept the revised Draft Finding of Fact and move to the Final
4 Determination. She said that the Board will also have to add to the Documents of Record at the next public
5 hearing.

6
7 Mr. Hall stated that he needs to point out that there may be some disagreement on item 1.(B) of the
8 Summary Finding of Fact. He said that he will not go into it tonight but he is comfortable in recommending
9 HELP ACHIEVE but he could imagine that others might think that HELP ACHIEVE is an overstatement.
10 He said that he tends to overstate what the text amendment might achieve rather than understate and the
11 Board could disagree but he is comfortable enough to recommend HELP ACHIEVE. He said that some
12 Board members might disagree.

13
14 Ms. Capel stated that she thought it was thin but not too thin.

15
16 Ms. Capel entertained a motion to continue Case 819-AT-15 to the January 14, 2016, meeting.

17
18 **Ms. Griest moved, seconded by Mr. Randol to continue Case 819-AT-15 to the January 14, 2016,**
19 **meeting. The motion carried by voice vote.**

20
21
22 **6. New Public Hearing**

23
24 **Case 816-V-15 Petitioner: Matt and Amanda Waughtel d.b.a. Bulldog Bullpen Daycare Request to**
25 **authorize the following variances for a Neighborhood Home Occupation in the R-4, Multi-Family**
26 **Residential Zoning District: Part A. The petitioner's home day care to operate from 6:30 a.m. to**
27 **11:00 p.m. in lieu of 6:30 a.m. to 10:00 p.m. as per Subsection 7.1.1F. Part B. Employees of the**
28 **petitioner's home daycare to start as early as 6:30 a.m. in lieu of the required 8:00 a.m. start time**
29 **established in Subsection 7.1.1A. Part C. A maximum of 16 children in lieu of the maximum**
30 **authorized 12 children established in Subsection 7.1.1E.i. Part D. An identification sign for the home**
31 **daycare that is 10 square feet in area in lieu of the required maximum 2 square foot in area. Location:**
32 **A 0.18 acre tract on Lot 101-1 of Siemsen Replat Subdivision in Mahomet Township in the West Half**
33 **of the Southwest Quarter of Section 12, Township 20 North, Range 7 East of the Third Principal**
34 **Meridian and commonly known as 2002 A Middletown Drive, Mahomet.**

35
36 Ms. Capel informed the audience that this is an Administrative Case and as such the County allows anyone
37 the opportunity to cross examine any witness. She said that at the proper time she will ask for a show of
38 hands for those who would like to cross examine and each person will be called upon. She requested that
39 anyone called to cross examine go to the cross examination microphone to ask any questions. She said that
40 those who desire to cross examine are not required to sign the witness register but are requested to clearly
41 state their name before asking any questions. She noted that no new testimony is to be given during the